

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

LAURA CONROY, on behalf of herself and
all others similarly situated,

Plaintiff,

vs.

MIKE JOHANNNS, Secretary of Agriculture,
United States Department of Agriculture,
Defendant.

ORDER
AND
MEMORANDUM DECISION

Case No. 2:06-CV-867 DB

Pro se filer Jonathan Lee Riches, a federal prisoner, has filed a Motion to Intervene as Plaintiff under Federal Rule of Civil Procedure 24(b) and a Motion for Counsel. (Dkt. No. 68.) Rule 24(b) allows permissive intervention if the filer “is given a conditional right to intervene by a federal statute; or . . . has a claim or defense that shares with the main action a common question of law or fact.”

This case is an employment discrimination case in which the plaintiff alleges gender discrimination by the United States Department of Agriculture.¹ Mr. Riches, in his motion,

¹Plaintiff’s Amended Proposed Class Action Complaint was filed on December 29, 2006. (Dkt. No. 3.) Since then, Mr. Edward T. Schafer has replaced Mike Johannns as Secretary of Agriculture.

makes allegations that have nothing to do with the questions of law or fact pertaining to the case. Additionally, he does not cite to any statute, federal or otherwise, that gives him a conditional right to intervene. Rather, he states, for example, that "Schafer violated my civil rights. I'm Jewish and being discriminated against. Schafer used defamation of my character and slander who wrote negative articles on google and yahoo that injured my reputation." (Dkt. No. 68.) The motion goes on with more of the same.

Because Mr. Riches' motion is completely unrelated to the main action, and because there is no statute giving him a conditional right to intervene, Mr. Riches' motion to intervene is DENIED. Accordingly, his motion for counsel is also DENIED, as it is moot.

It is so ordered.

Dated this 9th day of July, 2008.

A handwritten signature in black ink, reading "Dee Benson". The signature is written in a cursive, flowing style. The first name "Dee" is written with a large, stylized 'D' that loops around the 'e'. The last name "Benson" is written in a more standard cursive script.

Dee Benson
United States District Court Judge